UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,		Cr. No. 18-20161
V.		Hon. Matthew F. Leitman
JOHNATHON MAPUATULI,		
Defendant.	/	

DEFENDANT'S MOTION FOR COMPASSIONATE RELEASE

Defendant, Johnathon Mapuatuli, through counsel, Bryan J. Sherer, moves this Court for an order reducing his sentence and to release him from the United States Bureau of Prisons ("B.O.P.") under the compassionate release provisions of 18 U.S.C. § 3582(c)(1)(A), as modified by the First Step Act of 2018. In support thereof, Defendant states as follows:

1. On February 11, 2019, Defendant was sentenced to 23 months in B.O.P. after pleading guilty to Distribution of Cocaine, in violation of 21 U.S.C. § 841(a)(1), 21 U.S.C. § 841(b)(1)(A)(ii).

- 2. Defendant self-surrendered to his designated B.O.P. facility on April 4, 2019, per B.O.P. records. His release date is February 27, 2021, but based on good time credits that Mr. Mapuatuli has earned and is expected to earn, his anticipated release date is November 16, 2020.
- 3. Undersigned counsel was assigned on June 29, 2020, to file Defendant's requested motion for compassionate release.
- 4. The Defendant committed a non-violent offense, a federal drug offense, and did well while on bond prior to being committed to prison. He has no prior criminal history. While in prison, he has taken educational classes and has had no misconducts or disciplinary reports generated, per B.O.P. records. Further, B.O.P. has classified Defendant as a "low risk recidivism level."
- 5. Defendant makes his request for reduction of sentence because he has numerous health conditions which place him more at risk of catching, and greater risk of dying from, the current worldwide pandemic caused by COVID-19 ("coronavirus"). Defendant has been diagnosed by licensed medical professionals with serious medical conditions of: Obesity (with a body mass index over 40%), Obstructive Sleep Apnea, Diabetes and Severe Hypertension.
- 6. Defendant has satisfied the exhaustion of administrative remedies requirement under *United States v. Alam*, 2020 WL 2845694 (6th Cir. June 2, 2020).

Mr. Mapuatuli submitted an administrative request to the warden at his B.O.P.

facility on April 5, 2020.

7. If this Court is not inclined to grant Defendant's requested relief,

compassionate release under 18 U.S.C. § 3582(c)(1)(A), and permit him to

commence his 2-year term of supervised release, then in the alternative, Mr.

Mapuatuli requests that the Court recommend home confinement to the B.O.P. under

the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") Pub. L.

No. 116-136, 134 Stat. 281 (2020).

8. Pursuant to Local Rule 7.1, undersigned counsel sought the concurrence

of the Government in Defendant's requested relief. The Government objects.

Dated: July 27, 2020

Respectfully submitted,

/s/ Bryan J. Sherer, P69254

Federal Defender Office 111 E. Court Street, Suite L-100 Flint, Michigan 48502 (810) 232-3600

bryan sherer@fd.org

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Plaintiff,		Cr. No. 18-20161
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JOHNATHON MAPUATULI,		
Defendant.	/	

BRIEF IN SUPPORT OF DEFENDANT'S MOTION FOR COMPASSIONATE RELEASE

Mr. Mapuatuli seeks a reduction of his sentence pursuant to 18 U.S.C. §3582(c)(1)(A)(i), which states:

"The court may not modify a term of imprisonment once it has been imposed except...upon motion of the Director of the Bureau of Prisons, or upon motion of the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier, may reduce the term of imprisonment...if it finds that...extraordinary and compelling reasons warrant such a reduction..."

Mr. Mapuatuli makes his request for reduction of sentence because he has numerous health conditions which place him more at risk of catching, and greater risk of dying

from, the current worldwide pandemic caused by the novel coronavirus. Mr. Mapuatuli has served approximately 15 months of his 23-month sentence in the B.O.P. However, the "[c]onditions of confinement do not afford individuals the opportunity to take proactive steps to protect themselves, and prisons often create the ideal environment for the transmission of contagious disease."

The most applicable policy statement is set forth in the commentary to USSG §1B1.13, cmt. 1, "extraordinary and compelling" reasons for release exist if a person is "suffering from a serious physical or medical conditions . . . that substantial diminishes the ability of the defendant to provide self-care within the environment of a correctional facility and from which he or she is not expected to recover." Due to his imprisonment, in combination with his pre-existing health conditions, Mr. Mapuatuli's close-quarters living conditions place him at a significantly greater risk of contracting the extremely contagious virus.

Since passage of the First Step Act, courts have recognized "extraordinary and compelling reasons" in several circumstances. In particular, as the BOP faces a

¹ Ltr. from Sen. Richard J. Durbin et al. to Att'y Gen. William P. Barr et al., at 1(Mar. 23, 2020), available at

 $[\]frac{\text{https://www.durbin.senate.gov/imo/media/doc/Letter.\%20to\%20DOJ\%20and\%20BOP\%}{20on\%20COVID19\%20and\%20FSA\%20provisions\%20\%20final\%20bipartisan\%20text}{\%20with\%20signature\%20blocks.pdf}$

rapidly escalating health crisis because of COVID-19, several courts have recognized that at-risk inmates, like Mr. Mapuatuli, meet the legal standard for compassionate release. The pandemic alone is an extraordinary circumstance, and when face with an offender with pre-existing health problems rendering them vulnerable to severe complications from COVID-19, courts are exercising their authority to grant release under § 3582(c)(1)(A)(i).² This is particularly true when, as here, the offender is non-violent and was bond-compliant.

² See, e.g., United States v. Tran, No. CR 08-00197-DOC, 2020 WL 1820520 (C.D. Cal. Apr. 10, 2020) (ordering compassionate release in light of BOP's inability to protect vulnerable inmates from COVID-19); United States v. Smith, No. 12 CR. 133 (JFK), 2020 WL 1849748 (S.D.N.Y. Apr. 13, 2020) (granting release; finding exhaustion waivable and waived); United States v. Trent, No. 16-CR-00178-CRB-1, 2020 WL 1812214 (N.D. Cal. Apr. 9, 2020) (granting compassionate release in light of COVID-19); United States v. McCarthy, 2020 WL 1698732 (D. Conn. Apr. 8, 2020) (granting compassionate release and waiving exhaustion requirement for defendant at serious risk from COVID-19); *United* States v. Edwards, No. 6:17-CR-00003, 2020 WL 1650406 (W.D. Va. Apr. 2, 2020) (granting compassionate release in light of COVID-19); United States v. Resnik, 2020 WL 1651508 (S.D.N.Y. Apr. 2, 2020) ("Releasing a prisoner who is for all practical purposes deserving of compassionate release during normal times is all but mandated in the age of COVID-19"); United States v. Perez, No. 17 CR. 513-3 (AT), 2020 WL 1546422, at *2–3 (S.D.N.Y. Apr. 1, 2020) (granting compassionate release where "[t]he benefits of keeping [Perez] in prison for the remainder of his sentence are minimal, and the potential consequences of doing so are extraordinarily grave"); United States v. Rodriguez, No. 2:03-CR-00271-AB-1, 2020 WL 1627331 (E.D. Pa. Apr. 1, 2020) (granting release after finding risk factors for COVID-19 constitute extraordinary and compelling reason and noting that prisons are "tinderboxes for infectious disease"); United States v. Williams, No. 3:04CR95/MCR, 2020 WL 1751545 (N.D. Fla. Apr. 1, 2020) (compassionate release in light of severe risk posed to defendant by COVID-19); United States v. Powell, No. 1:94-CR-00316 (ESH), 2020 WL 1698194 (D.D.C. Mar. 28, 2020) (granting unopposed motion

I. <u>Exhaustion requirement.</u>

Section 3582(c)(1)(A)(i) requires exhaustion of administrative remedies before a defendant may make a motion for compassionate release. Mr. Mapuatuli reports that he submitted a request for compassionate release on April 5, 2020. Thus, it appears the 30 days required by the statute have elapsed, and has therefore satisfied the exhaustion requirement. *United States v. Alam*, 2020 WL 2845694 (6th Cir. June 2, 2020).

II. Extraordinary and Compelling Reasons Warrant Release

This Court may order Mr. Mapuatuli released if "extraordinary and compelling" reasons exist. Here, Mr. Mapuatuli's pre-existing health conditions, combined with the global pandemic, warrant compassionate release. In particular, Mr. Mapuatuli's current health conditions and incarceration during this pandemic "substantially diminishes the ability of the defendant to provide self-care within the environment of a correctional facility and from which [he] is not expected to recover." USSG § 1B1.13, cmt. n. 1(A)(ii). He also presents "Other Reasons" under USSG. § 1B1.13, cmt. n. 1(D), warranting compassionate release, *Miller*, 2020 WL

for compassionate release in light of COVID-19 and finding it "would be futile" to require defendant to first exhaust in light of open misdemeanor case).

1814084, at *3, because while the COVID-19 pandemic is devastating in every region it invades, prison populations are subject to heightened vulnerability.³

The heightened vulnerability is echoed by the Center for Disease Control and Prevention ("CDC") representation that jails and prisons pose an especially high risk for those who are within their walls.⁴ The CDC has explained that, "[t]here are many opportunities for COVID-19 to be introduced into a correctional or detention facility, including daily staff ingress and egress; transfer of incarcerated/detained persons between facilities and systems, to court appearances, and to outside medical visits; and visits from family, legal representatives, and other community members."⁵

³ See, e.g., Danielle Ivory, "We Are Not a Hospital": A Prison Braces for the Coronavirus, N.Y. Times (Mar. 17, 2020), https://www.nytimes.com/2020/03/17/us/coronavirus-prisons-jails.html (citing densely populated living conditions, shortage of masks, soap, and hand sanitizer, and the inability to routinely disinfect surfaces and maintain safe distances between inmates and guards as reasons prisoners are at increased risk of infection); Courtney Bublé, Federal Prisons Pose 'Imminent Danger' in Spreading COVID-19, Union Says, Government Executive (Apr. 6, 2020), https://www.govexec.com/oversight/2020/04/federal-prisons-pose-imminent-danger-spreading-covid-19-union-says/164390/

⁽detailing a prison workers' union complaint to OSHA complaining of "imminent danger" due to the BOP's failure to follow national safety guidelines).

⁴ See, Interim Guidance on Mgmt. of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities, Ctr. For Disease Control, at 2 (Mar. 23, 2020), available at https://www.cdc.gov/coronavirus/2019-ncov/downloads/guidance-correctional-detention.pdf.

⁵ CDC, Guidance for Correctional & Detention Facilities, https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html (last visited June 12, 2020).

Nationally, B.O.P. is not handling the coronavirus pandemic with adequate care in its facilities to contain its spread. As of July 27, 2020, 4,311 federal inmates and 401 B.O.P. staff have tested positive for COVID-19 nationwide.⁶ To date, there have been 100 federal inmate deaths and 1 B.O.P. staff member death due to the virus. *Id.* And, these numbers are questionable because B.O.P. is self-reporting the statistics instead of independent testing throughout its facilities.

For example, after the death of a young woman who recently gave birth at FMC Carswell, a whistleblower complaint from B.O.P. staff union for Carswell came to light alleging that the B.O.P. was knowingly misleading the American public about conditions in federal prisons. Similarly, at a different B.O.P facility, staff filed an OSHA complaint alleging B.O.P. has "failed to introduce workplace controls to mitigate or prevent exposure or further exposure to the virus[.]" Thus,

⁶ https://www.bop.gov/coronavirus/

⁷ Keegan Hamilton, EXCLUSIVE: Whistleblower Warned of Coronavirus Danger in Prison Where a Woman Just Died After Giving Birth, Vice News, Apr. 29, 2020, https://www.vice.com/en_us/article/pke7z8/exclusive-whistleblower-warned-of-coronavirus-danger-in-prison-where-a-woman-just-died-after-giving-birth.

⁸ See, OSHA Complaint, https://www.afge.org/globalassets/documents/generalreports/coronavirus/4/osha-7-form-national-complaint.pdf. This complaint was filed in March when there were 28 confirmed inmate cases, 24 confirmed staff cases, and one inmate death.

even B.O.P. staff are complaining about how poorly this crisis is being handled by B.O.P. nationwide.

A. Conditions at Lompoc USP & FCI warrant relief.

In April, B.O.P. discovered that 70% of tested inmates were positive for COVID-19. *Id.* (citing Sadie Gurman, *More Than 70% of Inmates Tested in Federal Prisons Have Coronavirus*, The Wall Street Journal (Apr. 30, 2020). This is similar to the conditions at Mr. Mapuatuli's facility in California. Currently, "California now has the most confirmed coronavirus infections of any state, surpassing New York[.]"

FCI Lompoc, which is adjacent to Mr. Mapuatuli's facilty, houses 1,089 total inmates. Of the 1,089 inmates housed there, 829 inmates recovered from the coronavirus. Down the road, at Mr. Mapuatuli's facility, at USP Lompoc there are 1,310 total inmates. Of those, 163 inmates recovered from the coronavirus, and 10

⁹ <u>https://www.wsj.com/articles/more-than-70-of-inmates-tested-in-federalprisons-have-coronavirus-11588252023.</u>

 $[\]frac{10}{\rm https://www.latimes.com/california/story/2020-07-22/california-has-most-covid-19-infections-of-any-state-as-surge-continues}$

¹¹ https://www.bop.gov/locations/institutions/lof/

¹² https://www.bop.gov/coronavirus/

¹³ https://www.bop.gov/locations/institutions/lom/

are currently testing positive.¹⁴ Both facilities combined, there have been 4 inmate deaths. *Id.* Out of the 2,399 combined inmates house at Lompoc, a little under half of the population (992 inmates) tested positive for the virus and recovered. *Id.* Given the statistics at Lompoc, this Court should find that extraordinary and compelling circumstances warrant a reduction of Mr. Mapuatuli's sentence due to his preexisting serious health conditions.

B. Mr. Mapuatuli's health places him at high risk of death or serious illness.

Mr. Mapuatuli's present health conditions fit the definition of an individual who is at higher risk of falling severely ill or dying from COVID-19, for three reasons:

One: Obesity. Mr. Mapuatuli is severely obese, putting him at high risk of death from COVID-19. At sentencing, his height was 5'7" with a weight of 430 pounds. PSR ¶ 41. By medical standards, a BMI of 40 or higher qualifies as severely obese. Mr. Mapuatuli's BMI is greater than 40.

¹⁴ https://www.bop.gov/coronavirus/

¹⁵ See, Adult Body Mass Index (BMI), CDC, https://www.cdc.gov/obesity/adult/degining.html.

According to the Centers for Disease Control and Prevention, anyone with a BMI of 40 or higher are at higher risk for severe illness from COVID-19. CDC.gov, Coronavirus Disease 2019, https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/groups-at-higher-risk.html. Other courts have noted a person's BMI over 40 in granting compassionate release in light of the COVID-19 pandemic. *See United States v. Dawson*, No. 18-40085-HLT, 2020 WL 1812270, at *5 (D. Kan. Apr. 9, 2020) ("The court finds that Mr. Dawson has established that his obesity puts him at an increased risk for severe illness if he were to contract COVID-19, which weighs in favor of finding exceptional reasons."); *United States v. Zukerman*, No. 16 CR. 194 (AT), 2020 WL 1659880, at *5 (S.D.N.Y. Apr. 3, 2020) (noting that movant's obesity placed him "at higher risk for severe illness from COVID-19").

Two: Sleep Apnea. Sleep apnea is a disorder where a person stops breathing periodically while sleeping. It can be deadly if not treated properly. Mr. Mapuatuli uses a C-PAP (Continuous Positive Airway Pressure) machine when he sleeps. Because COVID-19 is a respiratory illness, this disease raises a concern if he were to contract COVID-19. At least two judges in this district have noted a movant's sleep apnea, in combination with other ailments, in granting compassionate release in light of the COVID-19 pandemic. United States v. Saad, No. 16-20197, 2020 WL 2065476, at *4 (E.D. Mich. Apr. 29, 2020) (finding that sleep apnea, in combination

with other medical conditions, constituted extraordinary and compelling reasons for release in light of the COVID-19 pandemic); *United States v. Amarrah*, No. 17-20464, ECF No. 196, PgID 4569 (E.D. Mich. May 7, 2020) (same).

Three: High Blood Pressure. Mr. Mapuatuli's combination of obesity and hypertension substantially increases his risk of serious medical complications if he contracts COVID-19. *United States v. White*, No. 13-20653, ECF No. 54, PgID 812 (E.D. Mich. May 20, 2020), citing *Perez-Perez v. Adduci*, No. 20-10833, 2020 WL 2305276, at *5-6 (E.D. Mich. May 9, 2020).

Many courts, including three in this district, "have identified hypertension as an underlying medical condition that renders a prisoner higher-risk, weighing against continued detention during the COVID-19 pandemic." *United States v. Sanders*, No. 19-cr-20288, ECF No. 35, PgID 202–03 (E.D. Mich. Apr. 17, 2020) (citing *United States of America v. Patino*, No. 18-cr-20451, 2020 WL 1676766, at *2 (E.D. Mich. Apr. 6, 2020) ("Mr. Patino is at high risk due to stage 3 chronic kidney disease and hypertension, and his age (63 years old)."); *United States v. Doshi*, No. 13-cr-20349, 2020 WL 1527186, at *1 (E.D. Mich. Mar. 31, 2020) (recommending that prisoner with hypertension and diabetes be placed in home confinement); *Basank v. Decker*, No. 20 Civ. 2518 (AT), 2020 WL 1481503, at *3

(S.D.N.Y. Mar. 26, 2020) (releasing detainee with hypertension from civil immigration detention due to COVID-19 concerns).

Although Mr. Mapuatuli is relatively young, he is 30 years old, he is still at risk. In granting release to a 28-year-old inmate, another court recognized that "[y]oung persons are not immune." *United States v. Kelly*, No. 3:13-CR-59-CWR-LRA-2, 2020 WL 2104241, at *7 n.15 (S.D. Miss. May 1, 2020). The court cited sources that show more and more young people are dying of COVID-19. *Id.*, citing Ariana Eunjung Cha, Young and middle-aged people, barely sick with covid-19, are Wash. dying of strokes, Post (Apr. 25, 2020), https://www.washingtonpost.com/health/2020/04/24/strokes-coronavirus-youngpatients/; Christine McCarthy, Young, middle-aged people hospitalized with coronavirus high rates, Bos. 25 News (Apr. 28, 2020), at https://www.boston25news.com/news/health/young-middle-aged-peoplehospitalized-with-coronavirus-high-rates/WLAIK65QEJGW3BN2M2NGZZ ROYO/; William Feuer, WHO says 'more and more' young people are dying from the coronavirus, CNBC News (Apr. 3, 2020), https://www.cnbc.com/2020/ 04/03/who-says-more-and-more-young-people-are-dying-from-the-coronavirus. html. Despite his age, Mr. Mapuatuli's underlying health conditions do not undercut the extraordinary danger he currently faces.

In sum, Mr. Mapuatuli's motion for compassionate release should be granted because he "is unable to provide self-care within the environment" of USP Lompoc due to him not being able to practice social distancing to minimize risk of exposure. USSG § 1B1.13, cmt. n. 1(A)(ii). Given his present circumstances, Mr. Mapuatuli's numerous physical impairments coupled with his inability to provide self-care creates a serious medical condition rising to the level of "extraordinary and compelling reasons" which necessitate his release. *United States v. White*, No. 13-20653, ECF No. 54, PgID 813 (E.D. Mich. May 20, 2020), citing *United States v. Colvin*, No. 19-179, 2020 WL 1613943, at *3-4 (D. Conn. Apr. 2, 2020).

III. CARES Act Relief.

In addition to the relief available under 18 U.S.C. § 3582(c)(1)(A), the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") Pub. L. No. 116-136, 134 Stat. 281 (2020), provides for expanded home confinement under 18 U.S.C. § 3624(c). The CARES Act vests decision-making authority with respect to § 3624(c) questions within the sole discretion of the B.O.P. and Attorney General. *See, e.g., United States v. Boyd*, 2020 WL 2106023, at *1 (E.D. Tenn. 2020). Nonetheless, the judiciary can make a recommendation to the B.O.P. that home confinement be granted. *See, United States v. Doshi*, 2020 WL 1527186, at *2 (E.D. Mich. 2020).

Alternatively, if this Court is not inclined to grant Mr. Mapuatuli's request for compassionate release, then he respectfully requests that the Court make a recommendation to the B.O.P. that he be immediately granted home confinement.

Relief Requested

Mr. Mapuatuli respectfully requests compassionate release due to his serious and numerous health issues, the worldwide pandemic, and his inability to social distance. While he has been incarcerated, Mr. Mapuatuli has maintained a clear disciplinary history and participated in educational programs. Outside of the instant offense, he has no prior criminal history. He has completed 15 months of his 23-month sentence. He committed a non-violent offense, and therefore is not a danger to the community. He complied with all terms and conditions of his bond for the 12 months during which his case was pending, and this Court permitted him self-surrender. Should he be released, Mr. Mapuatuli plans to reside with his wife in Ontario, California. Her residence was vetted by pretrial services as part of his initial case because he resided there while on bond during the pendency of his case.

¹⁶ See attached exhibit of Mr. Mapuatuli's health records from B.O.P.

Alternatively, if this Court is not inclined to grant Mr. Mapuatuli compassionate release and permit him to commence his 2-year term of supervised release, then he respectfully requests that the Court make a judicial recommendation to the B.O.P. of immediate home confinement.

Respectfully submitted,

/s/ Bryan J. Sherer, P69254

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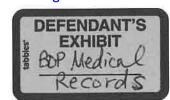
Dated: July 27, 2020

CERTIFICATE OF SERVICE

I certify that on July 27, 2020, I filed the foregoing paper with the through the court's electronic docketing system, which will send notification to opposing counsel of record.

/s/Bryan J. Sherer

Bureau of Prisons Health Services Clinical Encounter - Administrative Note



Inmate Name: Date of Birth:

Note Date:

MAPUATULI, JOHNATHON

06/23/2020 13:18

Sex: Provider:

Race: ASIAN/PAC Morris, Renettra DDS

Reg #: Facility: 75490-112

LOM A06 Unit:

Admin Note - General Administrative Note encounter performed at Health Services.

Administrative Notes:

ADMINISTRATIVE NOTE 1

Provider: Morris, Renettra DDS

COVID-19 for mass testing

New Laboratory Requests:

Details

Lab Tests-C-COVID-19 Asymptomatic Novel

Frequency One Time

Due Date

06/25/2020 00:00

Priority Routine

Coronavirus

Copay Required: No

Cosign Required: No

Telephone/Verbal Order: No

Completed by Morris, Renettra DDS on 06/23/2020 13:19

Bureau of Prisons Health Services Clinical Encounter

MAPUATULI, JOHNATHON Inmate Name:

75490-112 Reg #:

Date of Birth:

Encounter Date: 05/05/2020 12:54

Sex: Race: ASIAN/PAC. Provider: Souferzadeh, Navid MD

Facility: LOM A06

Unit:

Chronic Care - Chronic Care Clinic encounter performed at Health Services.

SUBJECTIVE:

COMPLAINT 1

Provider: Souferzadeh, Navid MD

Chief Complaint: HYPERTENSION

29 y/o male inmate comes to the clinic for CCC. Patient reports" I have hypertension and I want to take medication." Patient denies Chest pain, SOB, nausea, vomiting, constipation, diarrhea, blurred vision, headaches, dizziness, denies depression, hallucinations, denies

suicidal and homicidal ideation and all other symptoms.

Pain:

No

COMPLAINT 2

Provider: Souferzadeh, Navid MD

Chief Complaint: PULMONARY/RESPIRATORY

55 y/o male inmate comes to the clinic for CCC. Patient reports" I have sleep apnea and I

have not been using my machine." Patient denies Chest pain, SOB, nausea, vomiting,

constination, diarrhea, blurred vision, headaches, dizziness, denies depression, hallucinations, denies suicidal and homicidal ideation and all other symptoms.

Pain:

Seen for clinic(s): Pulmonary/Respiratory, Hypertension

Added to clinic(s): Hypertension

OBJECTIVE:

Temperature:

Date Time

Celsius Location **Fahrenheit**

Provider

05/05/2020

12:57 LOX

98.0 36.7 Souferzadeh, Navid MD

Pulse:

Date Time

Rate Per Minute Location 66

Rhythm

Provider

05/05/2020 12:57 LOX

Souferzadeh, Navid MD

Respirations:

Date

Time

Rate Per Minute Provider

05/05/2020

12:57 LOX

16 Souferzadeh, Navid MD

Blood Pressure:

Date

<u>Time</u> Value Location

Position

Cuff Size

Provider

Left Arm 05/05/2020 12:57 LOX 142/85

Souferzadeh, Navid MD

SaO2:

Date

05/05/2020

Time

Value(%) Air

Provider

Souferzadeh, Navid MD

Height:

Date

Time

12:57 LOX

Inches

Provider <u>Cm</u>

05/05/2020 12:57 LOX

65.0

98

165.1

Souferzadeh, Navid MD

Weight:

Date

Time

<u>Lbs</u>

Kq Waist Circum. Provider

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Kq Waist Circum, Provider

MAPUATULI, JOHNATHON Inmate Name:

Date of Birth:

Race: ASIAN/PAC. Sex:

Reg #: 75490-112 Facility: LOM

Encounter Date: 05/05/2020 12:54

Provider: Souferzadeh, Navid MD

A06

Date

Time

Lbs

Unit:

05/05/2020

12:57 LOX

390.0 176.9

Souferzadeh, Navid MD

Exam:

General

Affect

Yes: Pleasant, Cooperative

Appearance

Yes: Appears Well, Alert and Oriented x 3

Pulmonary

Observation/Inspection

Yes: Within Normal Limits

Cardiovascular

Observation

Yes: Within Normal Limits

Auscultation

Yes: Regular Rate and Rhythm (RRR), Normal S1 and S2

ASSESSMENT:

Essential (primary) hypertension, I10 - Current

PLAN:

New Medication Orders:

Rx#

Medication

Order Date

amLODIPine Tablet

05/05/2020 12:54

Prescriber Order:

5 mg Orally - daily x 365 day(s)

Indication: Essential (primary) hypertension

New Laboratory Requests:

Details

Frequency One Time

Due Date 09/07/2020 00:00 Priority Routine

Lab Tests - Short List-General-Lipid Profile

Lab Tests - Short List-General-TSH

Lab Tests - Short List-General-CBC

Lab Tests - Short List-General-Hemoglobin A1C

Lab Tests - Short List-General-T4, Free

Lab Tests - Short List-General-Comprehensive

Metabolic Profile (CMP)

Disposition:

Follow-up at Sick Call as Needed

Follow-up at Chronic Care Clinic as Needed

Patient Education Topics:

Date Initiated 05/05/2020	d Format Counseling	Handout/Topic Access to Care	<u>Provider</u> Souferzadeh, Navid	Outcome Verbalizes Understanding
05/05/2020	Counseling	Diet	Souferzadeh, Navid	Verbalizes Understanding
05/05/2020	Counseling	Exercise	Souferzadeh, Navid	Verbalizes Understanding

Generated 05/05/2020 13:03 by Souferzadeh, Navid MD

Bureau of Prisons - LOM

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Inmate Name: MAPUATULI, JOHNATHON Reg #: 75490-112

Date of Birth: Sex: M Race: ASIAN/PAC. Facility: LOM Encounter Date: 05/05/2020 12:54 Provider: Souferzadeh, Navid MD Unit: A06

Date Initiated Format Handout/Topic Provider Outcome

Copay Required: No Cosign Required: No

Telephone/Verbal Order: No

Completed by Souferzadeh, Navid MD on 05/05/2020 13:03

Bureau of Prisons Health Services Clinical Encounter

MAPUATULI, JOHNATHON Inmate Name:

75490-112 Reg #:

Date of Birth:

Race: ASIAN/PAC. Sex: M

Facility: LOM

Encounter Date: 01/24/2020 11:22

Provider: Balogun, Victoria NP

Unit: A06

Mid Level Provider - Sick Call Note encounter performed at Health Services.

SUBJECTIVE:

COMPLAINT 1

Provider: Balogun, Victoria NP

Chief Complaint: Cold or Flu Symptoms

Inmate c/o sore throat, nasal congestion, H/A x 3 days. Inmate has HX of Sleep Apnea and

Obesity. Denies CP, SOB and no fever.

Pain: No

OBJECTIVE:

Temperature:

Date

Time

Fahrenheit Celsius Location

Provider

01/24/2020 11:26 LOX 98.4

Balogun, Victoria NP

Pulse:

Date

Time

Rate Per Minute

Location

Rhythm

Provider

01/24/2020 11:26 LOX

88

Balogun, Victoria NP

Respirations:

Date

Time

Rate Per Minute Provider

36.9

01/24/2020

11:26 LOX

14 Balogun, Victoria NP

Blood Pressure:

Date

Time

Value

Location

Position

Cuff Size

Provider

01/24/2020 11:26 LOX 139/90

Balogun, Victoria NP

SaO2:

Date

Time

Value(%) Air 97

Lbs

Provider

Balogun, Victoria NP

Weight:

Date

Time

Kq Waist Circum. Provider

01/24/2020

01/24/2020

11:26 LOX

11:26 LOX

374.0 169.6 Balogun, Victoria NP

Exam:

General

Affect

Yes: Pleasant, Cooperative

Appearance

Yes: Appears Well, Alert and Oriented x 3

Ears

Tympanic Membrane

Yes: Pearly, Landmarks Normal

External Ear

No: Draining, Tenderness to Palpation

Face

Case 4:18-cr-20161-MFL-SDD ECF No. 34, PageID.156 Filed 07/27/20 Page 23 of 36

Inmate Name: MAPUATULI, JOHNATHON

Date of Birth: Counter Date: 01/24/2020 11:22

Sex: M Race: ASIAN/PAC, Provider: Balogun, Victoria NP

Reg #: 75490-112 Facility: LOM Unit: A06

Exam:

Sinus/Maxilla

Yes: Frontal Sinus Tenderness

Mouth

Pharynx

Yes: Tonsilar Hypertrophy

Pulmonary

Observation/Inspection

No: Respiratory Distress

Auscultation

Yes: Clear to Auscultation

Cardiovascular

Observation

Yes: Regular Rhythm

Auscultation

Yes: Normal S1 and S2

ASSESSMENT:

Acute sinusitis, J0190 - Current

PLAN:

New Medication Orders:

Rx#

Medication

Order Date

Amoxicillin Capsule

01/24/2020 11:22

Prescriber Order: 500mg Orally every 8 hours x 7 day(s)

Indication: Acute sinusitis

OTC REPORTED

New OTC:

Medication

OTC Source

Commissary-Recommended

Start Date 01/24/2020

Stop Date

Acetaminophen 325 MG Tab (OTC) 100

count

Order Detail: 2 tabs q6h prn

Disposition:

Follow-up at Sick Call as Needed Return Immediately if Condition Worsens Return To Sick Call if Not Improved

Other:

Advice to drink plenty of fluids.

Patient Education Topics:

Date Initiated Format

Handout/Topic

Provider

Outcome

01/24/2020

Counseling

Compliance - Treatment

Balogun, Victoria

Verbalizes Understanding

01/24/2020

Counseling

Hand & Respiratory Hygiene

Balogun, Victoria

Verbalizes Understanding

Generated 01/24/2020 11:30 by Balogun, Victoria NP

Bureau of Prisons - LOM

Page 2 of 3

Case 4:18-cr-20161-MFL-SDD ECF No. 34, PageID.157 Filed 07/27/20 Page 24 of 36

Inmate Name: MAPUATULI, JOHNATHON Reg #:

Date of Birth: Sex: M Race: ASIAN/PAC. Facility: LOM Encounter Date: 01/24/2020 11:22 Provider: Balogun, Victoria NP Unit: A06

Date Initiated
01/24/2020Format
CounselingHandout/Topic
Medication Side EffectsProvider
Balogun, VictoriaOutcome
Verbalizes
Understanding

75490-112

Copay Required: Yes Cosign Required: Yes

Telephone/Verbal Order: No

Completed by Balogun, Victoria NP on 01/24/2020 11:30 Requested to be cosigned by Souferzadeh, Navid MD.

Cosign documentation will be displayed on the following page.

Bureau of Prisons Health Services Cosign/Review

Inmate Name: MAPUATULI, JOHNATHON

Date of Birth: Encounter Date: 01/24/2020 11:22

Sex: Provider:

M Balogun, Victoria NP Reg #: Race: 75490-112 ASIAN/PAC...

Facility: LOM

Cosigned by Souferzadeh, Navid MD on 01/27/2020 06:43.

Bureau of Prisons Health Services Inmate Report Only (formerly labeled ISDS)

Reg #:	75490-112	Inmate Name: MA	PUATULI, JOHNATHON	
SENSIT	IVE BUT UNCLASS	FIED – This information is con	fidential and must be appropriately safegua	arded.
TB Clea	arance: Yes			
	Last PPD Da	te: 05/01/2020	Induration: 0mm	
	Last Chest X-Ray Da	te:	Results:	
	TB Treatme	nt: Not Applicable	Sx free for 30 days: Yes	
TB Fo	llow-up Recommend	ed: No		
Transfe	r To:		Transfer Date: 06/22/2020	
Health	Problems			
Health	n Problem		Status	
Obesi	ty		Current	
Sleep	apnea		Current	
Esser	ntial (primary) hyperte	ension	Current	
Acute	sinusitis		Current	
Body	mass index (BMI) 70	or greater, adult	Current	
BN	MI 70			

Medications: All medications to be continued until evaluated by a physician unless otherwise indicated. Bolded drugs required for transport.

amLODIPine 5 MG TAB Exp: 05/05/2021 SIG: Take one tablet (5 MG) by mouth each day

OTCs: Listing of all known OTCs this inmate is currently taking.

Acetaminophen 325 MG Tab (OTC) 100 count

Pending Appointments:

<u>Date</u>	<u>Time</u>	<u>Activity</u>	<u>Provider</u>
10/19/2020	00:00	Influenza - Immunization (Brand required)	Nurse 01
04/29/2021	07:30	Chronic Care Visit	Physician 02
05/01/2021	00:00	PPD Administration	Nurse

Non-Medecation Orders:

No Data Found

Active Alerts:

No Data Found

Consultations:

Pending Institutional Clinical Director Action

No Data Found

Pending UR Committee Action

No Data Found

Pending Regional Review Action

No Data Found

Pending Scheduling

No Data Found

Pending Consultation

No Data Found

Pending Results

No Data Found

Reg #: 75490-112 Inmate Name: MAPUATULI, JOHNATHON
SENSITIVE BUT UNCLASSIFIED – This information is confidential and must be appropriately safeguarded.
Sickle Cell: Sickle Cell Trait/Disease: Report Only (formerly labeled ISDS)
Limitations/Restrictions/Diets: Cell: lower bunk 09/29/2020 Other Housing Status Restrictions: bottom bunk: +40% BMI permanent Cleared for Food Service: Yes MDS Comments: Care level 1 bottom bunk: +40% BMI
Comments:
Allergies Vancomycin HCl
Devices / Equipment No Data Found
Travel: Direct Travel: No Travel Restrictions: None UNIVERSAL PRECAUTIONS OBSERVED WHEN TRANSPORTING ANY INMATE:
Transfer From Institution: LOMPOC FCI Phone Number: 8057364154
Address 1: 3600 GUARD ROAD Address 2: LOMPOC, California 93436
Name/Title of Person Completing Form: Wong, Alan NRP Date: 06/20/2020
Inmate Name: MAPUATULI, JOHNATHON Reg #: 75490-112 DOB: Sex: M

Bureau of Prisons Health Services

Vitals All

Begin Date: 01/01/2020

End Date:

12/31/2020

Reg #:

75490-112

Inmate Name: MAPUATULI, JOHNATHON

Temperature:

Date

03/30/2020

01/24/2020

<u>Time</u>

08:52 LOX

98.0

97.5

Fahrenheit Celsius Location 36.7

Provider

05/05/2020 12:57 LOX

Souferzadeh, Navid MD

Orig Entered: 05/05/2020 16:00 EST Souferzadeh, Navid MD

36.4 Forehead

Urrea, Barb RDA

Orig Entered: 04/02/2020 11:53 EST Urrea, Barb RDA

11:26 LOX

98.4 36.9

Balogun, Victoria NP

Orig Entered: 01/24/2020 14:27 EST Balogun, Victoria NP

Pulse:

Date

Time

Rate Per Minute

Location

Rhythm

Provider

05/05/2020 12:57 LOX

66

Orig Entered: 05/05/2020 16:00 EST Souferzadeh, Navid MD

01/24/2020 11:26 LOX

Balogun, Victoria NP

Souferzadeh, Navid MD

Orig Entered: 01/24/2020 14:27 EST Balogun, Victoria NP

Respirations:

Date

Time

Rate Per Minute Provider

05/05/2020

12:57 LOX

16 Souferzadeh, Navid MD

01/24/2020

Orig Entered: 05/05/2020 16:00 EST Souferzadeh, Navid MD 11:26 LOX

14 Balogun, Victoria NP

Orig Entered: 01/24/2020 14:27 EST Balogun, Victoria NP

Blood Pressure:

Date

Time

Value

Location Left Arm

Position

Cuff Size

Provider

05/05/2020 12:57 LOX 142/85

Souferzadeh, Navid MD

Orig Entered: 05/05/2020 16:00 EST Souferzadeh, Navid MD

01/24/2020 11:26 LOX 139/90

Balogun, Victoria NP

Orig Entered: 01/24/2020 14:27 EST Balogun, Victoria NP

SaO2:

Date

<u>Time</u>

Value(%) Air

Provider

05/05/2020

12:57 LOX

98

Souferzadeh, Navid MD

Orig Entered: 05/05/2020 16:00 EST Souferzadeh, Navid MD

Cm

01/24/2020

11:26 LOX

97

Balogun, Victoria NP

Orig Entered: 01/24/2020 14:27 EST Balogun, Victoria NP

Height:

Date

Time

Inches

Provider

05/05/2020 12:57 LOX

65.0 165.1

Souferzadeh, Navid MD

Orig Entered: 05/05/2020 16:00 EST Souferzadeh, Navid MD

Weight:

Case 4:18-cr-20161-MFL-SDD ECF No. 34, PageID.162 Filed 07/27/20 Page 29 of 36

Begin Date: 01/01/2020 End Date: 12/31/2020

Reg #: 75490-112 Inmate Name: MAPUATULI, JOHNATHON

<u>Date</u> <u>Time</u> <u>Lbs</u> <u>Kg</u> <u>Waist Circum.</u> <u>Provider</u>

05/05/2020 12:57 LOX 390.0 176.9 Souferzadeh, Navid MD

Orig Entered: 05/05/2020 16:00 EST Souferzadeh, Navid MD

01/24/2020 11:26 LOX 374.0 169.6 Balogun, Victoria NP

Orig Entered: 01/24/2020 14:27 EST Balogun, Victoria NP

Bureau of Prisons Health Services

S	
<u>α</u>	

Reg #: 75490-112		Inmate Name: MAPUATULI, JOHNATHON	JOHNATHON		
Admin:	Location	Provider	Reading:	<u>Induration</u>	Provider
04/29/2020 17:41 Left Forearm	Left Forearm	Encizo, Noelia RN	05/01/2020 18:00	0 mm	Encizo, Noelia RN
Orig Entered:	Orig Entered: 04/29/2020 20:42 EST Encizo, Noelia RN	Encizo, Noelia RN	Orig Entered: 05/01/2020 21:00 EST Encizo, Noelia RN	/2020 21:00 EST	Encizo, Noelia RN
04/04/2019 14:10 Left Forearm	Left Forearm	Hoen, Liza PA-C	04/06/2019 08:40	0 mm	Hugo, Teala AHSA, NREMT-P
Orig Entered:	Orig Entered: 04/04/2019 17:12 EST Hoen, Liza	Hoen, Liza PA-C	Orig Entered: 04/07,	/2019 11:40 EST	Orig Entered: 04/07/2019 11:40 EST Hugo, Teala AHSA, NREMT-P

Total: 2

Bureau of Prisons - CST

Bureau of Prisons Health Services Allergies

Reg #: 75490-112 Inmate Name: MAPUATULI, JOHNATHON

<u>Allergy</u> **Date Noted**

Reaction Vancomycin HCI 04/04/2019 Unknown

Orig Entered: 04/04/2019 17:10 EST Hoen, Liza PA-C

Total: 1

Bureau of Prisons Health Services

Patient Education Assessments & Topics

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JOHNATHO
Inmate Name: MAPUATULI,
75490-112
Reg #:

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Provider	
Barriers To Education	
Years of Education B	
Primary Language	
Assessment Date Learns Best By	

Total: 0

Topics

Total: 6

Page 1 of 1

Bureau of Prisons - CST

Generated 07/01/2020 16:24 by Nelson, Ryan OGC

Bureau of Prisons Health Services Health Problems

Reg #: 75490-112	Inmate Name: MAPUATULI, JOHNATHON				
Description	Axis	Code Type	Code	Diag. Date Status	Status Date
	Current				
Obesity 04/04/2019 17:14 EST Hoen, Liza PA-C		ICD-10	E669	04/04/2019 Current	
Sleep apnea 04/11/2019 13:31 EST Souferzadeh, Navid MD		ICD-10	G4730	04/11/2019 Current	
Essential (primary) hypertension 05/05/2020 16:01 EST Souferzadeh, Navid MD		ICD-10	110	05/05/2020 Current	
Acute sinusitis 01/24/2020 14:28 EST Balogun, Victoria NP		ICD-10	J0190	01/24/2020 Current	
Body mass index (BMI) 70 or greater, adult 04/10/2019 13:03 EST Mishchenko, Galyna FNP BMI 70		ICD-10	26845	04/10/2019 Current	
	Resolved				
Type 2 diabetes mellitus 04/11/2019 13:28 EST Souferzadeh, Navid MD 04/04/2019 17:14 EST Hoen, Liza PA-C		ICD-10 ICD-10	E119	04/04/2019 Resolved 04/04/2019 Current	04/11/2019
Quarantine - asymptomatic person in quarantine 05/20/2020 09:50 EST Ratliff, J. OMDT, APRN 03/31/2020 20:53 EST Dixon, Thomas RN/IDC/IOP	۵	ICD-10 ICD-10	Z0489-q Z0489-q	03/31/2020 Resolved 03/31/2020 Current	05/20/2020
Society of Caroning Control of Caroning Contro	Current				
Essential (primary) nypertension 04/10/2019 13:03 EST Mishchenko, Galyna FNP		ICD-10	#	04/04/2019 Current	
denied 04/04/2019 17:14 EST Hoen, Liza PA-C		ICD-10	110	04/04/2019 Current	
Total: 8					

Bureau of Prisons Health Services Vision Screens

Reg #: 75490-112 Inmate Name: MAPUATULI, JOHNATHON

Vision Screen on 04/10/2019 10:00

Blindness:

Distance Vision: OD: 20/20

OS: 20/20

OU: 20/20

Near Vision:

OD:

OD:

OS:

OU:

With Corrective

Distance Vision: OD:

OS:

OU:

Present Glasses - Distance

Refraction - Distance

Sphere

Near Vision:

Cylinder Axis

Add

Sphere

Cylinder

Axis

Add

R:

R:

L:

L: Color Test:

Tonometry: R:

L:

Comments:

Orig Entered: 04/10/2019 13:02 EST Mishchenko, Galyna FNP

Bureau of Prisons Health Services Medication Summary Historical

Complex: LOX--LOMPOC FCC

Begin Date: 01/01/2020

End Date: 12/31/2020

Inmate:

MAPUATULI, JOHNATHON

Reg #:

75490-112

Quarter:

A06-013L

Medications listed reflect prescribed medications from the begin date to end date on this report.

Allergies:

<u>Allergy</u>

Reaction

Date Noted

Vancomycin HCI

Unknown

04/04/2019

Active Prescriptions

amLODIPine 5 MG TAB

Take one tablet (5 MG) by mouth each day

Rx#: 323229-LOX

Doctor: Souferzadeh, Navid MD

Start: 05/05/20

Exp: 05/05/21

Pharmacy Dispensings: 90 TAB in 58 days

Amoxicillin 500 MG Cap

Take one capsule (500 MG) by mouth every eight hours for 7 days

Rx#: 315205-LOX

Doctor: Souferzadeh, Navid MD

Start: 01/27/20

Exp: 02/03/20

Pharmacy Dispensings: 0 CAP in 157 days

Active OTC

Medication

OTC Source

Start Date

Stop Date

Acetaminophen 325 MG Tab (OTC) 100

Commissary-Recommended

01/24/2020

count

Order Details: 2 tabs q6h prn

The second secon

BP-S148.055 INMATE REQUEST TO STAFF CDFRM SEP 98

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member)	DATE: 5/15/2020	
Medical Services - Records		
FROM:	REGISTER NO.: 75490-112	
JOANATHON J' laftnotali		
WORK ASSIGNMENT:	UNITH / O	
Johnathon Magnatali' WORK ASSIGNMENT: Hypha Dorm Orderly	Hlpha Dorm ADO DISE	
SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being		
taken. If necessary, you will be interviewed in order to successfully respond to your		
request.		
I would like to request a copy of my BOP medical		
or combe that timely recover is about a processated		
AFEOTORS TOM TIMETY VEYOST IS GREATLY CHAPTER ELECTRICA		
382		
Thank your		
Johnathon Mapustali		
Johnalpon Maguatur	<u> </u>	
You have received a copy of your me		
your request, from FCC Lompoc on	Dages: 70	
i our signature below indicates rece	pt and acceptance	
of responsibility in maintaining the confidentiality of your records. EXCLUDING HIV RESULTS.		
DISPOSITION your records. EXCLUDING HIV RESULTS.		

1/ Ly 1 1 Ly pruso 10	, A11m, C	
Johnsten Mynatull 25490 112		
Camate Name Reg. Number	Staff Witness	
	A 196 1	
8	A. Wheeler Health Information Tech	
	FCC Lompoc	
	100 Lonipoc	
Signature Staff Member	Date ,	
	Le 11/2020	
Record Copy - File: Copy - Inmade This form may be replicated via MP'	This form replaces B9-148.070 dated Oct 84	
The a least war was a second with the Male	and BP-S149-070 APR 84	